

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICK J GARDUNO,
Petitioner,

No. C 02-5806 JSW

v.

GAIL LEWIS, Warden,
Respondent.

**ORDER DISQUALIFYING
PETITIONER'S COUNSEL FROM
REPRESENTING PETITIONER**

On June 9, 2006, this Court issued an Order directing Petitioner's counsel, Frank G. Prantil, to show cause why he should not be disqualified from representing Petitioner in this matter.

In another matter in the United States District Court for the Northern District of California, No. C. 06-80138 Misc., Chief Judge Vaughn R. Walker noted that Mr. Prantil had been enrolled as an inactive member of the State Bar of California and issued an Order to Show Cause to Mr. Prantil as to why he should not be suspended from practice before the Northern District. On July 6, 2006, Judge Walker ruled that Mr. Prantil may not practice law before the Northern District and ordered that he be removed from the roll of attorneys authorized to practice in the court.

Because Mr. Prantil may not practice law in the United States District Court for the Northern District of California, the Court HEREBY ORDERS that Mr. Prantil is disqualified from representing Petitioner in this matter. The Court FURTHER ORDERS that Mr. Prantil serve a copy of this order on Petitioner and file a proof of service by no later than July 20, 2006.

Petitioner may either find another attorney to represent him or proceed in pro per. Petitioner shall file a substitution of counsel or provide notice to the Court that he intends to represent himself and provide the Court and Respondents with his current mailing address by no later than **August 15, 2006**.

Respondents filed a motion to dismiss in this matter which is currently pending. The Court HEREBY EXTENDS Petitioner's time to file an opposition to the pending motion to dismiss to **September 8, 2006**.

IT IS SO ORDERED.

Dated: July 18, 2006



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California